



VIA EMAIL

July 6, 2020

Ben Heckscher
MuckRock News
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Re: Freedom of Information Act Request – 20-FOI-00159

This is in response to your June 14, 2020 request for information made under the Freedom of Information Act (FOIA).

Request:

Your request sought the agenda and minutes for any meeting of Amtrak's Board of Directors that occurred during the month of September 2019.

Response:

Attached are records being released to you in part. Portions of these records are being withheld under FOIA Exemptions 4.

Exemption 4 protects trade secrets and commercial or financial information that is obtained from outside the government and that is privileged and confidential.

We have determined that the "financial information" at issue was required to be submitted to Amtrak. Information that was required to be submitted is considered confidential if disclosure of it is likely to cause substantial harm to the competitive position of the person from whom the information was obtained, or harm Amtrak's ability to obtain it in the future. Therefore, this information is *confidential* for purposes of Exemption 4 and we have withheld it. *Nat'l Parks & Conservation Ass'n v. Morton*, 498 F.2d 765, 770 (D.C. Cir. 1974).

If you have any questions regarding the processing of your request, please feel free to contact me at rebecca.conner@amtrak.com or at (202) 906-3215. For further assistance and to discuss any aspect of your request you may also contact our FOIA Public Liaison at FoiaPublicLiaison@amtrak.com. Additionally, you may contact the Office of Government Information (OGIS), National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, MD 20740-6001, e-mail at ogis@nara.gov, telephone at 202-741-5770; toll free at 1-877-684-6448; or fax 202-741-5769.

Pursuant to Amtrak's FOIA regulations (49 CFR 701.10), if you do not agree with Amtrak's response, you may file an appeal with Eleanor D. Acheson, Executive Vice President, Chief Legal Officer, General Counsel and Corporate Secretary, within ninety days (90) of the date of this letter, specifying the relevant facts and the basis for your appeal. Your appeal may be mailed to Ms. Acheson's attention: National

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Railroad Passenger Corporation, Law Department, 1 Massachusetts Avenue, NW, Washington, DC 20001. The President and CEO of Amtrak has delegated authority to the General Counsel and Corporate Secretary for the rules and compliance to the FOIA.

Sincerely,

Rebecca Conner
Manager, Records and Information Management

Attachments